

Message Text

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ACTION EUR-12

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SIL-01 AGRE-00 /091 W
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R 011919Z JUL 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC 9552
INFO AMEMBASSY BERLIN
AMEMBASSY BRUSSELS
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USBERLIN
USMISSION NATO

C O N F I D E N T I A L SECTION 01 OF 03 BONN 11054

USEEC

E.O. 11652: GDS
TAGS: PGOV, US, UR, UK, FR, GW, WB, EEC, COMECON
SUBJECT: QUESTIONS IN EUROPEAN PARLIAMENT ABOUT
BERLIN AND EC/CEMA NEGOTIATIONS

BEGIN SUMMARY: A GERMAN DELEGATE TO THE EUROPEAN
PARLIAMENT (EP) HAS POSED SEVERAL QUESTIONS TO THE EC
COUNCIL OF MINISTERS REGARDING BERLIN'S POSITION IN
THE EEC IN THE CONTEXT OF CEMA/EEC RELATIONS. THE FRG
FEELS COMPELLED TO PROVIDE ANSWERS AND, ALTHOUGH THE
ALLIED REPRESENTATIVES IN THE BONN GROUP HAVE MISGIVINGS
ABOUT HAVING THE BONN GROUP PARTICIPATE IN THE
PREPARATION OF SUCH REPLIES, OUR PARTICIPATION DOES
HAVE THE SALUTARY EFFECT OF ENSURING A MODERATE FRG
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(AND THEREBY EC) REPLY. THE QUESTIONS, AND THE
ANSWERS DRAFTED BY THE BONN GROUP, ARE SET OUT
BELOW. END SUMMARY

1. AT THE JUNE 28 BONN GROUP MEETING, FRG REP (HENZE)
DISTRIBUTED COPIES OF A CABLE FROM THE FRG MISSION
AT THE EC IN WHICH THE MISSION STATED THAT MARTIN

BANGEMANN, AN FRG REPRESENTATIVE TO THE EUROPEAN PARLIAMENT, HAD POSED SEVERAL FORMAL WRITTEN QUESTIONS ON BERLIN, THE EC AND CEMA TO THE COUNCIL OF MINISTERS. THE FRG MISSION PROMISED TO PREPARE A WRITTEN REPLY TO BE GIVEN BY THE COUNCIL AND REQUESTED THE FRG FOREIGN OFFICE TO DRAFT IT. HENZE SAID THAT SINCE THREE OF THE FOUR QUESTIONS INVOLVED BERLIN, THE FRG THOUGHT IT BEST TO SEEK BONN GROUP CONCURRENCE IN THE ANSWERS. BANGEMANN IS HEAD OF THE GERMAN FREE DEMOCRATIC PARTY IN BADEN-WUTTEMBERG AND A MEMBER OF THE BUNDESTAG.

2. THE US REP AND THE UK LEGAL ADVISER (CHAMBERLAIN) ASKED WHETHER IT WAS ABSOLUTELY NECESSARY THAT ANSWERS BE GIVEN, ESPECIALLY SINCE THE SOVIETS ARE AT PRESENT PARTICULARLY SENSITIVE ABOUT THE RELATIONSHIP BETWEEN THE EC AND BERLIN. THE US REP NOTED THAT DRAWING UNNECESSARY ATTENTION TO THE BERLIN/EC RELATIONSHIP IN THIS MANNER COULD EXACERBATE THE DIFFICULTIES THAT WE ARE HAVING WITH THE SOVIETS ON THIS POINT, A DEVELOPMENT WHICH WOULD NOT BE IN THE INTEREST OF BERLIN. HENZE AGREED WITH THE SENTIMENT EXPRESSED AND REPLIED THAT THE FRG HAS SOUGHT TO DISSUADE FRG REPRESENTATIVES FROM POSING SUCH QUESTIONS BUT HAS HAD MIXED SUCCESS. UNDER THE CIRCUMSTANCES, SINCE THE FRG FEELS COMPELLED TO PREPARE AN ANSWER, HE THOUGHT CONFIDENTIAL

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IT WOULD BE BEST TO AGREE ON A RELATIVELY INNOCUOUS REPLY WHICH COULD BE USED.

3. THE US REP THEN QUESTIONED THE DESIRABILITY OF THE BONN GROUP'S PARTICIPATING IN SUCH A DRAFTING EXERCISE SINCE, ALTHOUGH HENZE SAID THE FRG WOULD SEEK TO KEEP THE BONN GROUP'S ROLE CONFIDENTIAL, THE FACT REMAINED THAT THE ANSWERS WOULD NONETHELESS HAVE A DEGREE OF ALLIED BLESSING.

4. HAVING EXPRESSED THESE RESERVATIONS, THE ALLIED REPS PROCEEDED TO JOIN IN THE DRAFTING EXERCISE.

5. BANGEMANN'S QUESTIONS (EMBASSY TRANSLATION) AND THE DRAFT ANSWERS ARE AS FOLLOWS:

Q. WILL THE COUNCIL MAKE CLEAR (AT THE TIME OF CEMA/EEC NEGOTIATIONS) THAT THE MEMBERSHIP OF BERLIN IN THE EEC IS AN INCONTESTABLE FACT?

A. SUBJECT TO THE RIGHTS AND RESPONSIBILITIES OF FRANCE, THE UK AND THE US, BERLIN HAS BEEN, SINCE

1957, INCLUDED WITHIN THE AREA OF APPLICATION OF THE
TREATY OF ROME.

Q. WILL THE COUNCIL WORK TOWARDS MAKING THE INCLUSION

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C O N F I D E N T I A L SECTION 02 OF 03 BONN 11054

OF BERLIN IN THE DEVELOPMENT OF EAST-WEST ECONOMIC
RELATIONS SELF-EVIDENT?

A. WITH RESPECT TO THE DEVELOPMENT OF EAST-WEST
RELATIONS, THE COUNCIL, INsofar AS THE COMMUNITY IS
COMPETENT, WILL OBVIOUSLY ACT ON THE BASIS OF THE
ANSWER GIVEN TO THE PRIOR QUESTION.

Q. IS THE COUNCIL OF THE VIEW THAT THE POSITION OF
BERLIN, IN THE FRAMEWORK OF INCREASED COOPERATION
BETWEEN THE EEC AND COMECON, CAN BE STRENGTHENED BY
SUCH COOPERATION SO THAT, CONSISTENT WITH THE
RESOLUTION PROPOSED BY THE LIBERAL AND DEMOCRATIC CAU-

CUS IN 1967, A COMMITTEE OF COOPERATION WOULD BE
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ESTABLISHED WITH ITS SEAT IN BERLIN, WHICH COMMITTEE
WOULD HAVE THE RESPONSIBILITY FOR CONDUCTING CONTINUING
CONSULTATIONS WITH RESPECT TO ECONOMIC AND CULTURAL
QUESTIONS?

A. THE COMMUNITY HAS REPEATEDLY MADE KNOWN ITS
READINESS TO PROMOTE COOPERATION WITH CEMA AND CEMA'S
MEMBER STATES. SENSIBLE COOPERATION ON THE BASIS OF
RECIPROCITY WILL BE TO THE ADVANTAGE OF ALL PARTICIPANTS.
WEST BERLIN WILL ALSO PROFIT FROM PROGRESS IN THE
PROCESS OF NORMALIZATION.

6. COMMENT: THIS IS A RECURRING PROBLEM AS QUESTIONS
CONCERNING BERLIN'S RELATIONSHIP TO THE EC KEEP
ARISING IN THE EUROPEAN PARLIAMENT. MORE OFTEN THAN
NOT, THE QUESTIONS ARE POSED BY GERMAN PARLIAMENTARIANS
WHO PRESUMABLY KNOW THE ANSWERS BUT ARE SEEKING TO
GET STRONG STATEMENTS ON THE BERLIN/EC RELATIONSHIP
ON THE PUBLIC RECORD. THE QUESTIONERS ARE USUALLY
CDU/CSU PARLIAMENTARIANS, OFTEN FROM BERLIN. WE DO
NOT RECALL AN INSTANCE SUCH AS THE PRESENT ONE WHERE
THE QUESTIONS CAME FROM ONE OF FOREIGN MINISTER
GENSCHER'S OWN FDP COLLEAGUES.

7. ALLIED REPS IN THE BONN GROUP HAVE GENERALLY
RESISTED PARTICIPATING IN DRAFTING RESPONSES TO SUCH
QUESTIONS, POINTING OUT THAT FOR EC ORGANS TO BE
ISSUING INTERPRETATIVE STATEMENTS CONCERNING THE
STATUS OF BERLIN IS INCONSISTENT WITH OUR POSITION
THAT PARTIES THAT ARE NOT SIGNATORIES TO THE QUADRI-
PARTITE AGREEMENT SHOULD NOT BE SEEKING TO INTERPRET
IT. IT IS EC PRACTICE, HOWEVER, TO ASK THE MEMBER
STATE HAVING PRIMARY INTEREST IN AN ISSUE TO PREPARE
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RESPONSES TO QUESTIONS RAISED IN THE EUROPEAN
PARLIAMENT, AND QUESTIONS CONCERNING BERLIN ARE THUS
ROUTINELY GIVEN TO THE FRG. THE FRG ARGUES THAT THE
QUESTIONS WILL BE ANSWERED ONE WAY OR ANOTHER, AND
THAT IT IS FAR BETTER FOR THE BONN GROUP TO TRY TO
INFLUENCE THE ANSWERS THAN TO LEAVE IT TO THE EC TO
COME UP WITH AN ANSWER THAT MAY MAKE MATTERS EVEN
WORSE.

8. IN SOME INSTANCES THE ALLIED REPS IN THE BONN GROUP HAVE SUCCESSFULLY STONEWALLED. THERE IS, FOR EXAMPLE, A LONG STANDING REQUEST FROM THE POLITICAL COMMITTEE OF THE EUROPEAN PARLIAMENT FOR A DEFINITIVE STATEMENT ON THE POLITICAL AND LEGAL IMPLICATIONS OF HOLDING MEETINGS OF EUROPEAN PARLIAMENT COMMITTEES IN BERLIN. ALLIED BONN GROUP REPS HAVE DECLINED TO WORK

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ON A SUGGESTED REPLY PENDING FURTHER INFORMATION FROM THE FRG AS TO WHO POSED THE QUESTION AND WHY. THE BONN GROUP HAS ALSO LONG HAD UNDER DISCUSSION AN FRG DRAFT OF PROPOSED PRESS GUIDANCE WHICH EC COMMISSION PRESS SPOKESMEN MIGHT USE IN ANSWERING QUESTIONS ABOUT BERLIN. ALLIED REPS FEEL IN GENERAL THAT SUCH SPOKESMEN SHOULD SAY AS LITTLE AS POSSIBLE ABOUT BERLIN'S RELATIONSHIP TO THE EC, WHEREAS THE FRG REP ARGUES THAT QUESTIONS ON THE SUBJECT WILL INEVITABLY BE

ANSWERED AND THAT IT WOULD BE TO OUR ADVANTAGE TO
SUPPLY FULL GUIDANCE.

9. WE RECOGNIZE THAT, IN INSTANCES SUCH AS THE PRESENT
ONE, WHERE EUROPEAN PARLIAMENT RULES APPARENTLY DO
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REQUIRE PROMPT REPLIES TO INTERPELLATIONS, THERE IS
SOME MERIT TO THE FRG CONTENTION THAT THE BONN GROUP
SHOULD HAVE A LOOK AT THE PROPOSED ANSWER IN AN
EFFORT TO MODERATE IT TO THE EXTENT POSSIBLE. IF THE
WRONG ANSWER IS GIVEN, IT WILL BE THE ALLIES WHO WILL
HAVE TO RESPOND TO ANY FOLLOW-ON SOVIET PROTEST.

10. THERE MAY BE AN ADDITIONAL UNSPOKEN
REASON FOR FRG INSISTENCE ON BRINGING SUCH DRAFTS TO
THE BONN GROUP. THE DRAFT ANSWERS GIVEN ABOVE, FOR
EXAMPLE, WILL NOT SATISFY HERR BANGEMANN, AND IN
SOME INSTANCES ANSWERS WHICH HAVE LEFT THE BONN GROUP
ARE MORE CAUTIOUS THAN WOULD BE POSSIBLE IF THE FEDERAL
GOVERNMENT DRAFTED THEM ALONE ON THE BASIS OF ITS
CONSTITUTIONAL INTERPRETATIONS OF THE STATUS OF BERLIN.
THE FOREIGN OFFICE MAY THUS WISH TO BE ABLE TO POINT
TO A NEED FOR ALLIED CONCURRENCE IF IT SHOULD BE
CRITICIZED FOR SUGGESTING ANSWERS LESS FORTHRIGHT
THAN THE QUESTIONERS EXPECT.
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Message Attributes

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